

REGION 8 TRIBAL ANNUAL COMPLIANCE REPORT FOR CALENDAR YEAR 2003

I. Introduction

Section 1414(c)(3)(B) of the amended Safe Drinking Water Act (SDWA) requires the U.S. Environmental Protection Agency (EPA) to prepare and make available to the public an annual report on violations of the National Primary Drinking Water Regulations by public water systems (PWSs) on Tribal Lands by July 1 of each year. This includes violations pertaining to: 1) maximum contaminant levels, 2) treatment requirements, 3) variances and exemptions, and 4) monitoring requirements defined to be significant by the Administrator.

EPA Region 8 has primary enforcement authority in Indian Country throughout Region 8 states and thus prepared this annual compliance report. This report is intended to summarize and identify PWSs on Tribal Lands within EPA Region 8 that have been identified as having violations in categories 1-4 above during the calendar year 2003. The source of the information contained in this report is the SDWIS/State database maintained by the EPA Region 8 Tribal Direct Implementation Program.

II. The Drinking Water Program: An Overview

The EPA established the Public Water System Supervision (PWSS) Program under the authority of the 1974 Safe Drinking Water Act (SDWA). Under the SDWA and the 1986 Amendments, EPA sets national limits on contaminant levels in drinking water to ensure that the water is safe for human consumption. These limits are known as Maximum Contaminant Levels (MCLs) and the Maximum Residual Disinfectant Levels (MRDLs). For some regulations, EPA establishes treatment techniques in lieu of an MCL to control unacceptable levels of contaminants in water. For example, treatment techniques have been established for viruses, some bacteria, and turbidity. The Agency also regulates how often public water systems (PWSs) monitor their water for contaminants and report the monitoring results to the states or EPA. Generally, the larger the population served by a water system, the more frequent the monitoring and reporting (M/R) requirements. In addition, EPA requires PWSs to monitor for unregulated contaminants to provide data for future regulatory development. Finally, EPA requires PWSs to notify their consumers when they have violated these regulations. The 1996 Amendments to the SDWA require consumer notification to include a clear and understandable explanation of the nature of the violation, its potential adverse health effects, steps that the PWS is undertaking to correct the violation and the possibility of alternative water supplies during the violation.

The SDWA applies to the 50 states, the District of Columbia, Indian Lands, Puerto Rico, the Virgin Islands, American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands.

The SDWA allows states and territories to seek EPA approval to administer their own PWSS Programs. The authority to run a PWSS Program is called primacy. For a state to receive primacy, EPA must determine that the state meets certain requirements laid out in the SDWA and the regulations, including the adoption of drinking water regulations that are at least as stringent as the Federal regulations and a demonstration that they can enforce the program requirements. Of the 56 states and territories, all but Wyoming and the District of Columbia have primacy. The EPA Regional Offices administer the PWSS Programs within these two jurisdictions.

The 1986 SDWA Amendments gave Indian Tribes the right to apply for and receive primacy. EPA currently administers PWSS Programs on all Tribal Lands except the Navaho Nation, which was granted primacy in late 2000.

III. Public Water System

A Public Water System (PWS) is defined as a system that provides water via piping or other constructed conveyances for human consumption to at least 15 service connections or serves an average of at least 25 people for at least 60 days each year. There are three types of PWSs. PWSs can be community (such as towns), nontransient noncommunity (such as schools or factories), or transient noncommunity systems (such as rest stops or parks). For this report when the acronym “PWS” is used, it means systems of all types unless specified in greater detail.

IV. Variances and Exemptions

During calendar year 2003, EPA Region 8 did not allow variances or exemptions to any MCL or monitoring requirement for Tribal public water systems.

V. Monitoring

A PWS is required to monitor and verify that the levels of contaminants present in the water do not exceed the MCL. If a PWS fails to have its water tested as required or fails to report test results correctly to the primacy agent, a monitoring violation occurs. For this report, significant monitoring violations are generally defined as any Significant monitoring violation that occurred during the calendar year of the report. A Significant monitoring violation, with rare exceptions, occurs when no samples were taken or no results were reported during a compliance period.

VI. Consumer Notification

Every Community Water System is required to deliver to its customers a brief annual water quality report. This report is to include some educational material, and will provide information on the source water, the levels of any detected contaminants, and compliance with drinking water regulations. For this report, a significant public

notification violation occurred if a community water system completely failed to provide its customers the required annual water quality report.

VII. OBTAINING A COPY OF THE 2003 PUBLIC WATER SYSTEMS REPORT

As required by the Safe Drinking Water Act, EPA Region 8 has made the 2003 Public Water Systems report available to the public for the Tribal Lands of Region 8. Interested individuals can obtain a copy of the 2003 Annual Public Water Systems Report for Region 8 Tribal Lands by accessing:

Website: <http://www.epa.gov/region08/water/dwhome/tribes.html>

Telephone: 303-312-6312 or 800-227-8917

E-Mail: r8eisc@epa.gov

Contact Name: EPA Region 8's Environmental Information Service Center

VIII. Violations Tables

The two appendices in this report contain information on the Tribal systems in Region 8 with significant violations in 2003.

The appendices are sorted by: 1) rule, 2) violation type and 3) PWS identification number. Appendix A contains data for those systems that had Monitoring and Reporting violations for the total coliform rule (TCR) during the calendar year 2003.

Appendix B contains data for those systems that had violations in the following areas: total coliform rule maximum contaminant level (TCR MCL), surface water treatment rule (SWTR), chemical contaminants (inorganic contaminants or IOC, volatile organic contaminants or VOC, synthetic organic contaminants or SOC, nitrate or NO₃, and radiological contaminants or rads), lead and copper (LCR), and Consumer Confidence Report (CCR) during the calendar year 2003.

IX. Findings and Conclusions

Bacteriological Contaminants

- There were a total of 18 monitoring/reporting violations of the total coliform rule (TCR) by 15 public water systems (see Appendix A).
- There were a total of 24 monthly maximum contaminant level (MCL) violations of the total coliform rule by 16 public water systems (see Appendix B).

Surface Water Treatment Rule

- There were 3 treatment technique violations of the surface water treatment rule (SWTR) by 3 public water systems (see Appendix B).
- There was 1 failure to filter or reporting violation of the Surface Water Treatment Rule (see Appendix B).

Chemical Contaminants (IOC, VOC, SOC, NO3, and rads)

- There were 6 monitoring/reporting violations for chemical contaminants (IOC, VOC, SOC, NO3, and rads) by 5 public water systems (see Appendix B).
- There were no MCL violations reported for chemical contaminants.

Lead and Copper Rule

- There were 3 failure to monitor/report violations for lead and copper (LCR) by 3 public water systems (see Appendix B).

Consumer Confidence Report

- There were no public water systems that did not submit their 2002 Consumer Confidence Reports (CCR)

X. 2003 Annual Compliance Report Summary

- A total of 55 SDWA rule violations committed by Tribal public water systems, during calendar year 2003.

2003 SDWA VIOLATIONS SUMMARY TABLE		
Rule	Violation	Number of Violations
Total Coliform Rule (TCR)	Failure to Monitor or Report (FTM/R)	18
	Max Contaminant Level (MCL)	24
	Acute Max Contaminant Level	0
Surface Water Treatment Rule (SWTR)	FTM/R	1
	Treatment Technique	3
	Maximum Residual Disinfectant Level	0
Chemicals (VOCs, SOCs, IOC, Nitrate, and Radionuclides)	FTM/R	6
	MCL	0
Lead & Copper Rule (LCR)	Follow up or Routine FTM/R	3
Consumer Confidence Reports (CCR)	Failure to Report	0
Tribal 2003 PWS Rule Violation totals		55

Region 8 Tribal Lands 2003 Compliance Report								
Violation Category	MCL		Treatment Technique		Significant Monitoring		Maximum Residual Disinfectant Level	
	Violations	Systems in Violation	Violations	Systems in Violation	Violations	Systems in Violation	Violations	Systems in Violation
Total Coliform Rule	24	16			18	15		
Surface Water Treatment Rule			3	3	1	1	0	0
Chemical Contaminant Group	0	0			6	5		
Lead and Copper Rule			0	0	3	3		
Consumer Confidence Report					0	0		

XI. General Information on the Inventory of Public Water Systems in Region 8 Tribal Lands

There are 119 Tribal public water systems in the EPA Region 8 area.

- The numbers, sizes, and types of public water systems in Region 8 Tribal Lands in the calendar year 2003.

	<3,300	3,301-50,000	>50,000
Community	100	7	0
Non-Community	5	0	0
NTNC	7	0	0

- The percentage of public water systems that are of each size and type in Region 8 Tribal Lands in the calendar year 2003.

	<3,300	3,301-50,000	>50,000
Percentage (%)	94.1	5.9	0.0

	Community	Non-Community	NTNC
Percentage (%)	90.0	4.2	5.8

- The total number of customers served by public water systems in Region 8 Tribal Lands in the calendar year 2003 was 83,000.
- The sources of Region 8 Tribal Lands drinking water are surface water, ground water, purchased surface water, and purchased ground water.
- 71.4% of public water systems in Region 8 Tribal Lands in the calendar year 2003 were in compliance for federal drinking water regulations.

APPENDIX A

CALENDER YEAR 2003

TCR MONITORING AND REPORTING VIOLATIONS

TRIBAL

Facility Name	PWS ID	Rule	Violation	Violation Date
PRYOR WATER SYSTEM	083090012	TCR	MONITORING (TCR), ROUTINE MAJOR	2/1/03
WYOLA WATER SYSTEM	083090014	TCR	MONITORING (TCR), ROUTINE MAJOR	1/1/03
	083090014	TCR	MONITORING (TCR), ROUTINE MAJOR	2/1/03
BOX ELDER (LOW RENT HOUSING)	083090072	TCR	MONITORING (TCR), ROUTINE MAJOR	4/1/03
EAGLEMAN COMMUNITY WATER	083090074	TCR	MONITORING (TCR), ROUTINE MAJOR	4/1/03
ROCKY BOY RURAL WATER(NEWTOWN)	083090075	TCR	MONITORING (TCR), ROUTINE MAJOR	4/1/03
PARKER SCHOOL WATER SYSTEM	083090076	TCR	MONITORING (TCR), ROUTINE MAJOR	4/1/03
ROCKY BOY SCHOOL/AGENCY WATER SYSTEM	083090079	TCR	MONITORING (TCR), ROUTINE MAJOR	4/1/03
ROLLING HILLS WS	083890027	TCR	MONITORING (TCR), ROUTINE MAJOR	5/1/03
ROSEBUD CASINO	084690019	TCR	MONITORING (TCR), ROUTINE MAJOR	5/1/03
	084690019	TCR	MONITORING (TCR), ROUTINE MAJOR	6/1/03
789 SERVICE STATION/BINGO	085690009	TCR	MONITORING (TCR), ROUTINE MAJOR	7/1/03
TOWAOC-UTE MTN TRIBAL COUNCIL	080890010	TCR	MONITORING (TCR), REPEAT MAJOR	7/1/03
MISSION DAM WATER SYSTEM	083090029	TCR	MONITORING (TCR), REPEAT MAJOR	3/1/03
KICKING HORSE JOB CORPS	083090037	TCR	MONITORING (TCR), REPEAT MAJOR	9/1/03
	083090037	TCR	MONITORING (TCR), REPEAT MAJOR	10/1/03

Facility Name	PWS ID	Rule	Violation	Violation Date
LODGEPOLE HOUSING WATER SYSTEM	083090047	TCR	MONITORING (TCR), REPEAT MAJOR	12/1/03
BUSBY COMMUNITY WATER SYSTEM	083090063	TCR	MONITORING (TCR), REPEAT MAJOR	9/1/03

APPENDIX B

CALENDER YEAR 2003 TCR MCL, SWTR, CHEMICALS (IOC, VOC, SOC, NITRATE, AND RADIONUCLIDES), LEAD/COPPER, AND CCR VIOLATIONS REGION 8 TRIBAL LANDS

Facility Name	PWS ID	Rule	Violation
PRYOR WATER SYSTEM	083090012	TCR	MCL (TCR), MONTHLY
MISSION DAM WATER SYSTEM	083090029	TCR	MCL (TCR), MONTHLY
	083090029	TCR	MCL (TCR), MONTHLY
KICKING HORSE JOB CORPS	083090037	TCR	MCL (TCR), MONTHLY
HAYS/WHITE COW CANYON WATER S.	083090044	TCR	MCL (TCR), MONTHLY
	083090044	TCR	MCL (TCR), MONTHLY
LODGEPOLE ELEMENTARY SCHOOL	083090046	TCR	MCL (TCR), MONTHLY
LODGEPOLE HOUSING WATER SYSTEM	083090047	TCR	MCL (TCR), MONTHLY
	083090047	TCR	MCL (TCR), MONTHLY
BUSBY COMMUNITY WATER SYSTEM	083090063	TCR	MCL (TCR), MONTHLY
	083090063	TCR	MCL (TCR), MONTHLY
LAME DEER WATER SYSTEM	083090064	TCR	MCL (TCR), MONTHLY
BOX ELDER (LOW RENT HOUSING)	083090072	TCR	MCL (TCR), MONTHLY
ROCKY BOY RURAL WATER(NEWTOWN)	083090075	TCR	MCL (TCR), MONTHLY
	083090075	TCR	MCL (TCR), MONTHLY
	083090075	TCR	MCL (TCR), MONTHLY
PARKER SCHOOL WATER SYSTEM	083090076	TCR	MCL (TCR), MONTHLY
	083090076	TCR	MCL (TCR), MONTHLY
BIG BEND WATER SYSTEM	084690438	TCR	MCL (TCR), MONTHLY

Facility Name	PWS ID	Rule	Violation
AMERICAN HORSE SCHOOL	084690466	TCR	MCL (TCR), MONTHLY
ARCADIA WATER SYSTEM	084990001	TCR	MCL (TCR), MONTHLY
KANOSH WATER SYSTEM	084990006	TCR	MCL (TCR), MONTHLY
ARAPAHOE COMM WATER SYSTEM	085690004	TCR	MCL (TCR), MONTHLY
	085690004	TCR	MCL (TCR), MONTHLY
FORT WASHAKIE	085690003	SWTR	MONITORING, ROUTINE (TURBIDITY)
MANDAREE WATER PLANT	083890001	SWTR	TREATMENT TECHNIQUE (TURBIDITY)
FOUR BEARS WATER TREATMENT PLANT	083890015	SWTR	TREATMENT TECHNIQUE (TURBIDITY)
ETHETE WATER SYSTEM	085690002	SWTR	TREATMENT TECHNIQUE (TURBIDITY)
ETHETE WATER SYSTEM	085690002	CHEMICAL	VOC, MONITORING, REGULAR
	085690002	CHEMICAL	NITRATE MONITORING, ROUTINE MAJOR
URIAH HEEPS SPRING WATER SYST.	084990002	CHEMICAL	NITRATE MONITORING, ROUTINE MAJOR
ARAPAHOE COMM WATER SYSTEM	085690004	CHEMICAL	NITRATE MONITORING, ROUTINE MAJOR
ARAPAHOE INDUSTRIAL PARK	085690008	CHEMICAL	NITRATE MONITORING, ROUTINE MAJOR
789 SERVICE STATION/BINGO	085690009	CHEMICAL	NITRATE MONITORING, ROUTINE MAJOR
BIG BEND WATER SYSTEM	084690438	LCR	ROUTINE TAP M/R
CROW CREEK SIOUX TRIBE WTR SYS	084690439	LCR	ROUTINE TAP M/R

Facility Name	PWS ID	Rule	Violation
FORT THOMPSON WATER SYSTEM	084690440	LCR	ROUTINE TAP M/R